

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Nos. 13-cv-1064 RB/SMV
11-cr-0487 RB**

RICARDO GUTIERREZ,

Defendant.

ORDER FOR ANSWER

THIS MATTER is before the Court, sua sponte under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, [CV Doc. 1], [CR Doc. 396], filed on October 29, 2013. In accordance with rule 4(b), the Court will direct the United States to answer Defendant's motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Clerk is directed to forward a copy of Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, [CV Doc. 1], [CR Doc. 396], and supporting papers and exhibits, if any, together with a copy of this Order, to the United States of America c/o Steven R. Spitzer, U.S. Attorney's Office, 700 East San Antonio Suite 200, El Paso, Texas 79901.

IT IS FURTHER ORDERED that, within twenty-three (23) days of entry of this Order, the United States shall answer Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge